

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the
Commission's Own Motion to Re-Examine the
Underlying Issues Involved in the Submetering
Discount for Mobile Home Parks and to Stay
D.01-08-040.

Rulemaking 03-03-017
(Filed March 13, 2003)

Order Instituting Investigation on the
Commission's Own Motion to Re-Examine the
Underlying Issues Involved in the Submetering
Discount for Mobile Home Parks and to Stay
D.01-08-040.

Investigation 03-03-018
(Filed March 13, 2003)

Robert Hambley, for Himself and, on Behalf of
the Residents of Los Robles Mobilehome Park,

Complainant,

vs.

Hillsboro Properties, a California Limited
Partnership, and the City of Novato,

Defendants.

Case 00-01-017
(Filed January 14, 2000)

**ADMINISTRATIVE LAW JUDGE'S RULING
DENYING MOTION TO INTERVENE**

On August 21, 2003, the Paul J. Goldstone Trust (Goldstone) filed a motion
to intervene in the above proceedings. Goldstone states that it has entered into

an agreement with the defendant in Case (C.) 00-01-017 to acquire the right, title and interest of the mobile home park (MHP) that is the subject of C.00-01-017. It says that as a result of the agreement, it has an interest in proceedings that address the interplay between the City of Novato Mobile Home Rent Control Ordinance, and Public Utilities Code Section 739.5. It also claims it has an interest in proceedings that may affect future rents it may charge, costs that may or may not be included in rents, and ways to convert to direct metering.

If Goldstone obtains an ownership interest in a California submetered mobile home park, it will then have an interest in Rulemaking (R.) 03-03-017 and Investigation (I.) 03-03-018. However, Goldstone did not indicate in its motion the nature and extent of its planned participation in those proceedings. In addition, it is unclear whether its participation will be unnecessarily duplicative. Therefore, I will deny its motion to intervene in those proceedings at this time.

C.00-01-017 addresses rents charged in the years that are the subject of the complaint. It was decided by the Commission in Decision (D.) 01-08-040. What remains is determining whether a decision in Phase 1 of R.03-03-017 and I.03-03-018 would warrant a change in D.01-08-040, and calculating the amount of the refunds. Goldstone had no interest in the subject MHP at that time, has no knowledge of what transpired at that time, and is not a defendant in the proceeding. Goldstone did not indicate in its motion the nature and extent of its planned participation in this proceeding, and it is unclear whether its participation will be unnecessarily duplicative. In addition, Goldstone provided no information on the agreement. Therefore, I will deny Goldstone's request to intervene at this time.

Goldstone may attend the next prehearing conference in these proceedings. If it chooses to do so, and still wishes to become a party, it will

need to be prepared to address the nature and extent of its planned participation, whether it will be unnecessarily duplicating the participation of other parties, and the nature of the agreement and its resulting interest. I will address its proposed intervention at that time.

Therefore, **IT IS RULED** that the motion of the Paul J. Goldstone Trust to intervene in these proceedings is denied without prejudice.

Dated August 27, 2003, at San Francisco, California.

/s/ JEFFREY P. O'DONNELL

Jeffrey P. O'Donnell
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Denying Motion to Intervene on all parties of record in these proceedings or their attorneys of record.

Dated August 27, 2003, at San Francisco, California.

/s/ TERESITA C. GALLARDO

Teresita C. Gallardo

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.